

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

March 13, 2012

No. 11-10815

Lyle W. Cayce
Clerk

RIC CLARK, Individually and on behalf of others similarly situated; DAVID ELLIS, Individually and on behalf of others similarly situated; WELDON NORMAN, Individually and on behalf of others similarly situated; CLAIRE WALLACE,

Plaintiffs - Appellants

v.

CITY OF FORT WORTH, TEXAS,

Defendant - Appellee

Appeals from the United States District Court
for the Northern District of Texas
USDC No. 4:10-CV-519

Before JOLLY, DAVIS, and BARKSDALE, Circuit Judges.

PER CURIAM:*

At issue are whether the district court erred by: applying the Fair Labor Standards Act's (FLSA) "special detail" exemption, 29 U.S.C. § 207(p)(1); and denying Plaintiffs' motion for conditional class certification under the FLSA's collective-action provision, 29 U.S.C. § 216(b). *See Clark v. City of Ft. Worth*, 800 F. Supp. 2d 781 (N.D. Tex. 2011). Essentially for the reasons stated in its well-considered opinion, the district court did not err by

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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applying the exemption. Accordingly, we need not reach the collective-action issue.

AFFIRMED.